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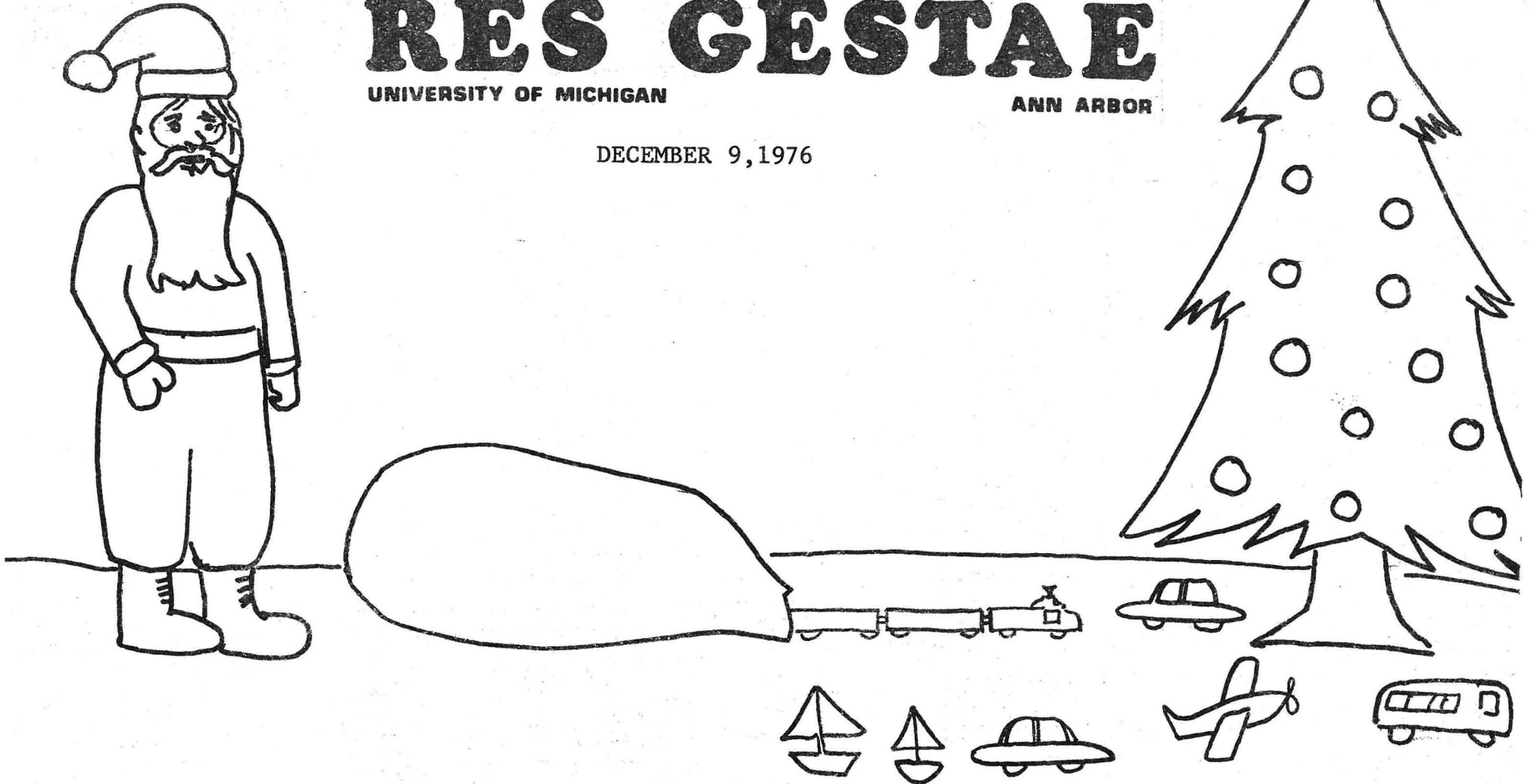
THE LAW SCHOOL WEEKLY

RES GESTAE

UNIVERSITY OF MICHIGAN

ANN ARBOR

DECEMBER 9, 1976



SANTA AND THE COMMERCE CLAUS

The Docket

Wednesday

Detroit Free Press political writer Reemer Tyson will speak on Wednesday Dec. 18th, 10:10 to 11:00, Room 100. Sponsored by Political Science 300.

Thursday

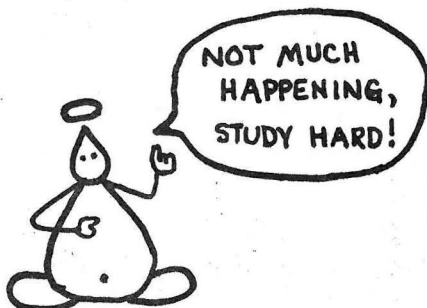
Richard Epstein
Prof. of Law, Univ. of Chicago
"Can there be a unified theory
of Tort Liability?"
Thursday, December 9th, 2:30 PM
Room 100, Hutchins Hall

COCKTAIL PARTY! Thirstday, Dec. 9th
3:30 PM -- Lawyers Club Lounge.

Sunday

The Law Spouses Association will be having its annual bake sale Sunday December 12th and Sunday December 19th from 5 p.m. until 9 p.m. in the basement of the Law Library.

Hotdogs, coffee and baked goods will be cheap. Come on down for a study break and bring your appetite.



TO: THE DAMN YANKEE EDITOR OF THE R.G.

SUH: It's an outrage. Not only did you illiterate halfwits refer TA Earl (Thuh lubricating fluid) as Awl (Thuh contracted forum of ah will), but y'all left out thuh vurub forum of tarred - "Ah tarred thuh ear with a set of retarrads".

Us good ol' boys is about ta throw up our arms in dispair. We can't learn y'all nuthin. It's hopeless, y'all aint never gonna learn good English t'all.

Yors in udder frustrashun,

Rick Durden
"Riyuck Dierdun"

Ed. In response to your unfounded broadside we offer only two comments. This office has been using peanuts as a snack for over a month now. We also petitioned Bo to let the team play in the Peach Bowl in Atlanta instead of travelling to California.

Christmas with R.G.

Santa Claus.....	Ned Othman
Head Elf.....	Ken Frantz
Pixie.....	Carol Sulkes
Wise Man.....	Bob Brandenburg
Reindeer Tender.....	Don Parman
Rudolph(the red nosed)	Stew Olson
Snowshoe Bunny.....	Crusader Rabbit
Donner & Blitzen.....	John Mezzanotte and Michael Marrero
Santa's Helper.....	Dot Blair
Frosty.....	Earl Cantwell
The Grinch.....	Dan Schulman
Dancer.....	Sandy Gross
Prancer.....	Dennis Fliehman
Scrooge.....	Kevin McCabe
Angel.....	Bonnie Lederman
Tree.....	Murray the K
Tiny Tim.....	George Vinyard

NOTICES

SOCIAL

DRINKS

Poured by friendly Social Committee members

FOOD

Cheese balls and Chips 'n Dip
Prepared by Sherry and her fine kitchen staff

WHY?

So you will all get drunk and not study and you will be hung over and unable to study the day after. Then you will all do worse than me on exams. Then I'll get better grades and be more successful in life and be happier forever.

P.S. This applies particularly to people in Com Trans, Bail to Jail, Admin. and Con Law w/ Sandalow.
Drink up, suckers.

WHEN?

That's Thursday, Dec. 9, 1976
The last day of classes
Starts at 3:30 p.m.

WHERE?

LAWYERS CLUB LOUNGE

Intramurals

Due to the fact that the IM dept. has seen fit to make the deadlines for Basketball and Ping-Pong due the day we get back next semester, we'll try to get our entries in before Xmas break. See IM broad by Rm. 120 for more details.

LEXIS TRAINING

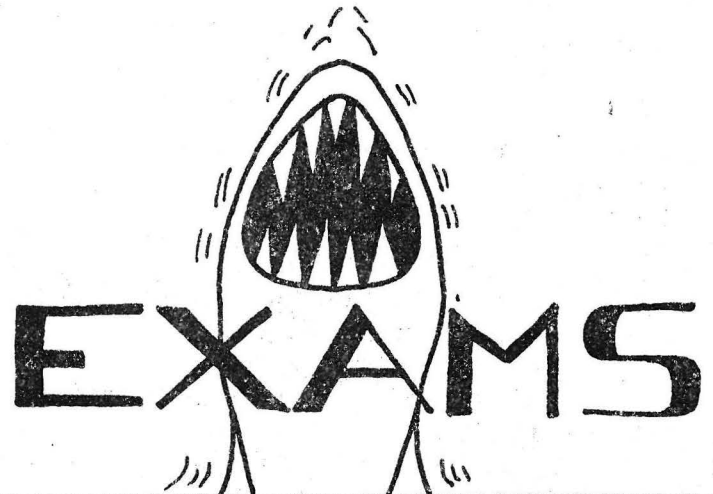
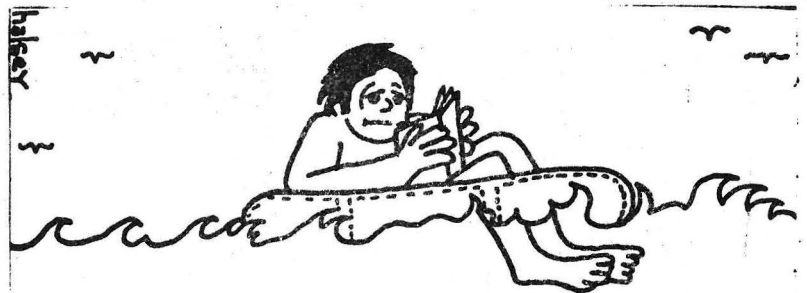
As previously announced, LEXIS instruction will be available during the semester break. Any member of the Law School community who is interested in receiving instruction during this period should sign up outside of Room 310 L.R. Additionally, sign-up sheets for the sessions which will take place during the first two weeks of next semester are also available outside of 310L.R.

Pinball-Foosball Championship

Yes, you can still qualify for the All-Law School Pinball Championship. Just play those games by 3:30 Thursday afternoon. See Pinball Room for details.

Finals will be Friday afternoon at 3:00. Everyone invited--those finalists need your support.

Foosball Championship will be held Friday afternoon, also.



COMING SOON TO
YOUR LAW SCHOOL



NEW TAX CLINIC TO BENEFIT LOW, MIDDLE INCOME CLIENTS

In a program authorized by both the Internal Revenue (IRS) and the U.S. Treasury Department, the law students are participating in a new clinical law course under which they offer free legal counsel to clients whose returns have been contested by the IRS.

Douglas Kahn, one of the professors who initiated the program, notes that potential clients will be limited to those with tax problems under \$1,000.

Kahn believes the program will perform a valuable public service to both low and middle income taxpayers who would not usually choose to hire an attorney to assist with their tax problems.

"For a large part of the public," says Kahn, "income tax problems create tremendous friction. This is particularly true if a taxpayer whose returns have been audited feels that he is right but does not want to go through the bureaucratic process of pleading his case."

The U-M tax program is supported by a grant from the Council on Legal Education and Professional Responsibility (CLEPR), a Ford Foundation affiliate. The program is one of only three in the country. The other two are at Hofstra University in New York and Southern Methodist University in Texas.

The U-M program is being supervised by a local tax attorney, Charles Ladd. (Participating students may also seek advice from prof. Kahn and Prof. L. Hart Wright.)

The program will be limited to six students each term to ensure close faculty supervision. As with other Law School clinical programs, the students will discuss their experiences at Law School seminars and receive academic credit for their work.

Under faculty supervision, students will screen potential clients, obtain facts of each case, and present the case before IRS agents if there is a reasonable claim.

"One intention of the IRS in approving the program," says Kahn, "was to provide a service to low income taxpayers. But, actually there are usually not that many contested returns among low income people. Thus, I believe most of our clients will be from middle income levels, although we will give priority to low income clients."

Since tax audits occur all year, Kahn says student participants will be kept busy each semester. SO WHAT ELSE IS NEW PROF. KAHN?

FIRST LSSS MEETING OF WINTER

TERM

A reminder that the first Student Senat meeting of the Winter Term has been scheduled for 3:30 PM, Thursday, January 13, in the Faculty Dining Room.

The tentative agenda includes a request for funding for the Entertainment Law Society, and the meeting schedule for the remainder of Winter term. I also hope to introduce for initial consideration the schedule for spring elections and appointments.

Also coming up for consideration soon may be proposals by Section V to alter the format of the Alternative Practices Conference.

Anyone wishing to place issues before the Senate at the next meeting should submit a proposal in writing by Monday, January 10.

George Vinyard

NEW YORK BAR REVIEW. B.A.R./B.R.I.

Sign up by DECEMBER 15 for

- (1) \$75.00 off
- (2) free C.P.L.R. course (to be given at the Law School in February and March)

Contact Phil Fileri (BRI-NY Rep) 764-2014

PIRGIM

PIRGIM today hailed passage by the Michigan House of Representatives of a bill which would open government records to the public and which would establish procedures to protect citizens from getting the bureaucratic run-around when they request access to public documents.

The House action came sixteen months after release of a 60-page PIRGIM report--State Secrets--which detailed the problems researchers, reporters, attorneys, and other citizens have in getting access to state and local government records.

In addition to opening more records to the public, the "Freedom of Information Act of 1976:"

- *provides specific guidelines on the charges agencies can demand for copies of records,

- *sets time limits for response to citizen requests for information, requiring agencies to grant them or give written reasons for denial within 5 to 15 days,

- *allows courts to give speedy attention to suits to compel disclosure of information, and to refund attorneys fees to citizens who successfully bring suit,

- *allows courts to award civil damages if agencies act in bad faith in delaying or denying access.

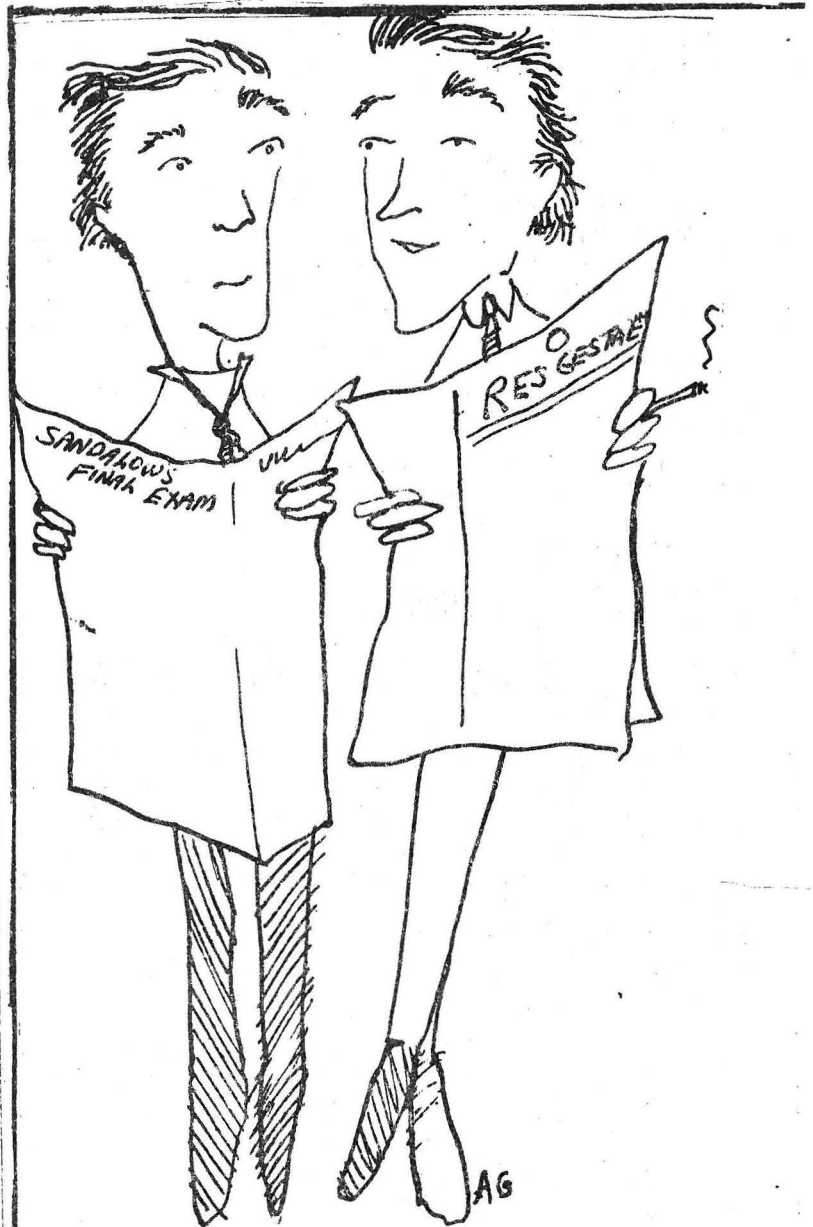
Edward Petrini, author of the PIRGIM report and principal drafter of the bill, said numerous individuals, particularly students from Michigan campuses, took the time to inform legislators about their concern for government secrecy. Many of them actually came to Lansing to lobby personally for passage.

In addition to PIRGIM, the bill has the support of a number of organizations, including Michigan Common Cause, the Michigan Association of Counties, the Michigan Association of School Boards, and the Michigan Press Association.

According to Petrini, the bill does not contain all the provisions supporters originally wanted, however "It's definitely a compromise measure," he admitted. "For

example, there are some kinds of internal memoranda we believe should be open to the public. But House passage is a tremendously important step in making state and local government more open and accountable to the people."

(Supporters predict the bill will be assigned to the Senate Judiciary Committee)



'They Call That Humor?'

Open letter to Prof. Peter Westen:

As a faculty coordinator of the 1976 Campbell Competition, and author of the problem, we think that you should be advised of the reaction that we, among others, had when the list of semi-finalists was made public.

We are appalled by the quality (or lack of quality) of those participants that advanced. Clearly, most deserved such recognition of their writing and oral abilities. But when the basis for selection is distorted in such a fashion as to allow at least one team to advance at the exclusion of other equally qualified teams, the process is appropriate for strict critical analysis.

For example, it is our understanding that although one participating team in particular did not fare well in the oral argument, their brief was thought to be so superior that it was felt that that team should advance. Query, what is the value of the oral argument stage in the competition at all if at the discretion of the judges it will be totally discounted? Further, what is the purpose of having a "best brief" award if not to recognize an especially superior writing effort?

Please explain to us, and the others like us who view this year's competition with a degree of skepticism, the validity of using a floating scale upon which to weigh the brief and oral arguments for evaluation and advancement purposes. In the organizational meetings in September of this year, it was explained that for the first round briefs would count 30%,

and the oral presentation would count 70%. After the results were returned, the student coordinator explained to us that theoretically, the brief and the oral argument were to be weighted equally, but in practice the oral argument received up to 75% consideration. In view of these assertions, how can it be that at least one team received preferential treatment in being chosen to advance based primarily on their writing performance?

We gave you personally a lot of credit for writing such a timely problem with an appeal to the sensitive issues that many professional schools are facing with respect to the constitutionality of affirmative action and preferential admissions for minority applicants. However, we did not expect that the judging of the Campbell Competition would involve the same problems of discriminatory procedure that many schools are attempting to solve.

We would challenge the process on two familiar grounds: denial of equal protection and violation of due process. It is not at all fair that different teams should be judged based on different standards, not to mention the arbitrariness of the standard applied. At the outset the standard to be applied was announced: advancement would be based on merit with the brief weighted at 30% and the oral argument at 70%. Was it unreasonable for the participants in this competition to rely upon the statements made in the beginning of the year, only to discover that in the actual selection process other standards would be applied?

At this time there is no way of estimating the number of participants affected by the "floating standard." We only request that your attention be focused upon this

problem, and that an explanation be formulated--not only for us; not only for now; but for the entire Law School student body who would like to be assured that next year's Campbell Competition will be handled in a fair and non-arbitrary manner. I hope that students will not be discouraged from participating in future competitions due to the results of this one.

Thank you for your attention to the above mentioned matter.

Sincerely,

Janet L. Anderson

Janet L. Anderson

Elizabeth A. Campbell

Elizabeth A. Campbell

Open letter to Professor Westen:

We of the Black Law Students Alliance wish to express to you and the law school community our disappointment and frustration with the results of the 1976 Campbell Competition Quarter-finals. Three Black teams entered competition this year, none advanced to the Semi-finals.

Our concern is not that unqualified persons may have advanced, but that competent Black entrants were disqualified for less than valid reasons. While the process of oral argument is necessarily subjective, we submit that general inconsistencies and unfair practices such as the absence of a Black judge, the strong performance of the Black advocates as indicated by the positive feedback from the judges, 7

and the result itself renders the Campbell Competition a mockery in the face of the student body and an insult to the Black entrants. It is apparent to us that the law school has once again manifested total insensitivity and disregard for Black achievement.

BLACK LAW STUDENTS ALLIANCE

Dear RGers,

Having actually finished all the reading for this semester, and being nowhere ready to begin the task of studying for exams, I've decided to unload my mind of at least one of the ideas that's been stuck behind liens and mortgages and deductions and realization and... The idea? Clinic!

During the last few weeks I listened to the Ethics Lectures. Judge Gilmore frequently referred to clinic participants and the chances that they probably had to witness and resolve some of the client-ethics-practice problems that occur in real practice. During the last lecture, after a comment on clinic, the student next to me leaned over and said, "If it's so important why isn't clinic more available?" And therein lies the point of this letter. It is. With the new variety of clinics there are more spaces and last I saw there are still spaces open.

I was in the elderly clinic this summer, and while I wouldn't dare guarantee that clinic may be the best thing you'll ever do, it is a chance to put some of those ideas we've been hoarding away to work. It is a chance to do something and get a taste for how THE LAW and people really mix. There are some exciting lawyers over there who can give you a different perspective on what all this stuff we've been studying is all about. And, best of all, there is no exam. No outline to make, no hornbook to read, no Gilbert's to buy. What could be more ideal!

And so ends my first RG letter (I wish I was sure if this was the high or low point in my law school career.) I wish you happy studying, and REMEMBER, it's never too late to rework next semester's schedule. You didn't really want to take E.O. and Comm. Trans. and Anti-trust, did you?

Mary Margaret Bolda

MINUTES OF THE LSSS MEETING

December 2, 1976

Call to Order

The meeting was called to order at 3:40 p.m. by President George Vinyard in the Faculty Dining Room of the Lawyers Club Lounge. Members present were: Janet Anderson, Debra Armbruster, Deborah Friedman, Sandra Gross, Martha Haines, Mary Ruth Harsha, John Kralik, Charles Lowery, Jr., Eric Martin, Gwendolyn Mosely, Geoffrey Silverman and George Vinyard.

Approval of Minutes

The minutes for November 18 were approved with two corrections. Under Scholarship and Awards Committee, Jeff's name should be spelled Geoffrey. Under Ethics Lectures, the minutes should read that LSSS has discussed the Ethics Lectures and was informed that the lectures were given late in the term because Judge Gilmore ran for reelection.

Meeting Schedule for Next Term

Deborah moved to meet on Thursday, Jan. 13 at 3:30 p.m. The motion carried unanimously.

Social Committee

Donn Randall reported for the Social Committee. There will be a cocktail party Thursday, Dec. 9 at 3:30 p.m.

In regard to the status of the Lawyers Club with respect to the ruling of the Liquor Control Commission, the University recently won a case making the Law School University property for tax purposes. This means that liquor cannot be sold on the Law School premises.

Two suggestions for Law School mixers were made by Donn. One was to **charge** and serve free liquor in an area different than that of the party. The second suggestion was to give the liquor free, using selected advertisement to control the size of the turnout.

Section V

Mark Sterling reported for Section V. An Alternative Practices Conference is being planned for March. Some of the areas to possibly be covered are Legal Services, Public Interest, Government Agencies, Corrections, and Rights of the Oppressed. Instead of having the conference in one day, Section V may hold weekly sessions on each topic.

Senior Day

Eric moved that the Committee of Seniors make a recommendation of the date for Senior Day activities within LSSS guidelines about the Jewish Sabbath. The motion carried 10 in favor and 1 opposed.

Residential Committee

Paul Jones and Bob Kohorst presented the Committee's proposal for Management Agreement Between Lawyers Club and University Housing Division.

Student Lounge Lighting

Martha moved that the Senate recommend to the appropriate Law School Administrators that the lighting in the Hutchins Hall Student Lounge be improved; more specifically, the Senate recommends that more powerful bulbs (larger wattage) be substituted for those currently being used so that the light intensity in the lounge will be increased.

The motion carried unanimously.

Prospectus of Courses to be Offered in Future

WHEREAS, it is essential that students plan the entirety of their remaining two year course selections during their third term in residence.

BE IT RESOLVED that the LSSS recommends that the Faculty and Administration of the Law School establish each year a two year course prospectus indicating the terms and likely times during which all Law School courses will be offered.

The motion carried unanimously.

Entertainment Law Society

It was moved that LSSS recognize the Entertainment Law Society as a student organization.

The motion carried unanimously.

The meeting was adjourned at 5:10 p.m.

Janet L. Anderson
LSSS Secretary



SENIOR DAY PLANNING

The Senior Day Committee met with Dean Pierce on Tuesday, December 7, and communicated the following preferences for the scheduling of the 1977 Senior Day Ceremony (given the Law School Administration's express intention of abiding by the policy set by the LSSS relating to not scheduling the event on the Jewish Sabbath):

First Choice -- Sunday Afternoon.

Second Choice -- Saturday Evening

Third Choice -- Friday Afternoon.

All of the possible times are on the weekend of May 13. The meeting ended with the understanding that Dean Pierce would proceed to do his best to schedule the highest priority choice within the logical constraints relating to reservation of Rackham Auditorium, etc. The final schedule should be set very soon so that friends and family members can plan their attendance.

A portion of the meeting was also devoted to compiling a list of suggested speakers without ranking them in order of preference. Another meeting of the committee will be held very soon (most likely the first Tuesday) after vacation to come up with an ordered list from which invitations will be extended. Those suggested so far include:

Cyrus Vance
Hamilton Jordan
Barbara Jordan (declined last year)
Anthony Amsterdam
Carl Stern
Fred Graham
Cornelia Kennedy
Raymond Burr
Shirley Hufstedler
Frank Rhodes

Elliot Richardson
Robert Griffin
Gerald Ford
William Coleman
Arthur Burns
Leonard Woodcock
Archibald Cox
Liz Holzman
Charles Halpern
Julian Bond
Leon Higginbotham
James Thompson
John Dohr

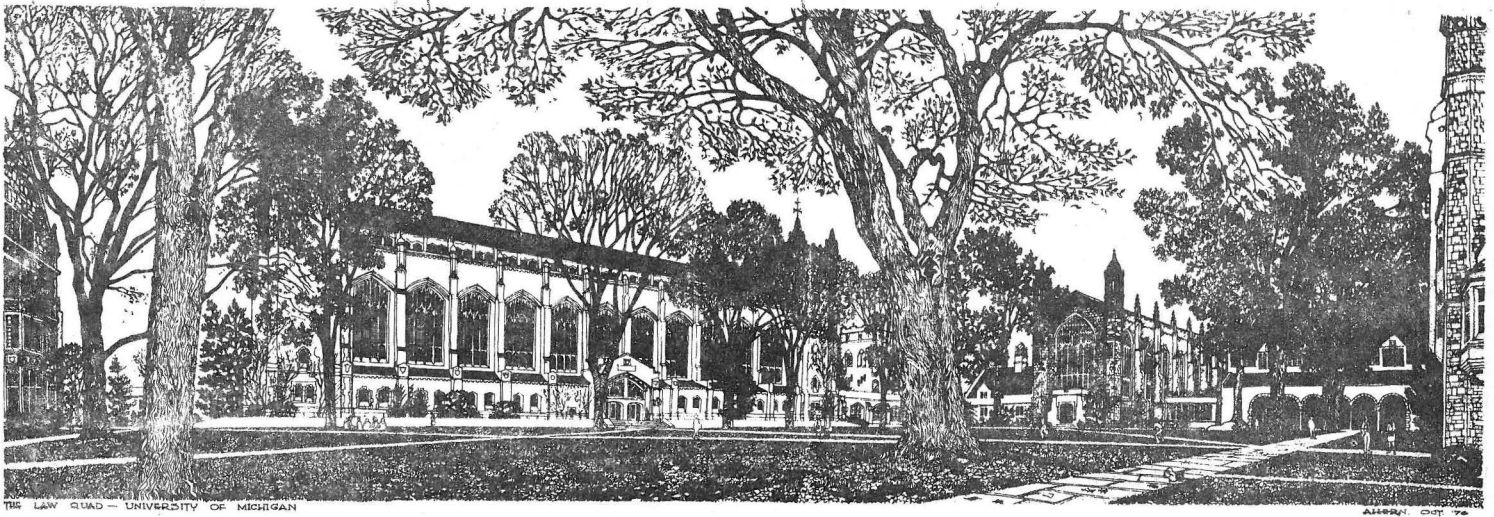
It is obvious that many of those listed could not realistically be expected to appear due to their own busy schedules or to the limited funds available to the Law School for this purpose (we are essentially limited to travel and accommodations expenses).

Anyone who is interested in commenting upon the priority to be given to any of the above prospects, or who has other possibilities to suggest, should contact a member of the Senior Day Committee before Tuesday, January 11. Members are:

Edward Marod
Liane Lawrence
Charles Wolff
Sally Zanger
Tom Marsh
Bruce Johnson
Dan Nadis
you (if you show up as a volunteer)
George Vinyard

-- George Vinyard
LSSS President





LIBRARY ANNEX UNDERGROUND OR ABOVEGROUND ??

by Richard Ahern

The growth of a university ordinarily has a great impact on the community of which it is a part. As a matter of social justice, I think that it should be a policy of all educational institutions receiving public support to work with members of the surrounding community on major issues that might have substantial impact on that community.

I also think that it is both a right and a duty for members of any profession to offer their critiques (either support or opposition) on important issues of public concern in which their expertise might be of benefit to the public, whenever their personal concern and conscience so dictates. On issues involving opposition, members should disqualify themselves from receiving material compensations or rewards from a sponsor of the subject of their concern.

I am presently personally concerned over recent decisions regarding the proposed Legal Research Building addition and wish to share my views with those who might be interested.

It takes very little knowledge of the existing Law Library to be convinced of the need for expanded facilities. Nor is there any question in my mind of the qualifications of the architect selected, Gunnar Birkerts, a designer of superior ability. I seriously question, however, the recent decision to build the addition underground. Here is my case:

The University of Michigan Law Quad is reputed to be the most beautiful physical environment of any law school in the United States. One wonders if it is surpassed for beauty anywhere in the world.

But there is a serious flaw in the design of the complex as it now stands, and that is the awkward gap between the dormitories and the Law Library, a space now used for a parking lot. Like a missing tooth in an otherwise perfect set of teeth, the defect distracts ones attention and seriously impairs appreciation of an otherwise harmonious complex of buildings and landscaping. The architectural composition was never completed as originally planned; it was stated in the 1935 "Book of the Lawyers Quadrangle at the University of Michigan" that "There remains yet to be constructed another dormitory on the southeast corner of the Quadrangle which will complete the group."

But the group is not ever likely to be completed if current plans are finally accepted. The concept of a two-story underground annex surmounted only by a landscaped area was approved by the Regents of the University about the middle of October.

I first learned of the proposed addition in October while sketching a panoramic view of the Law Quad. I had chosen my position carefully so that two giant trees might partially fill the void at the southeast corner, and was therefore particularly conscious of the need, someday, to complete the composition. Concerned that the opportunity might soon pass, I pursued the question as time permitted.

I learned that several alternatives had been considered. The design most favored by the Board of Alumni of the Law School for aesthetic reasons was rejected by the librarians and others on functional grounds. That was to build across the street from the Library, south of Monroe Street.

Conversely, the design most favored by the librarians for functional reasons was decisively rejected by the alumni on aesthetic grounds. That was for a concept of "a cascading glass facade" that would have enclosed the existing stacks (north side of Monroe Street) from the top to the bottom, adding space where it would be most accessible.

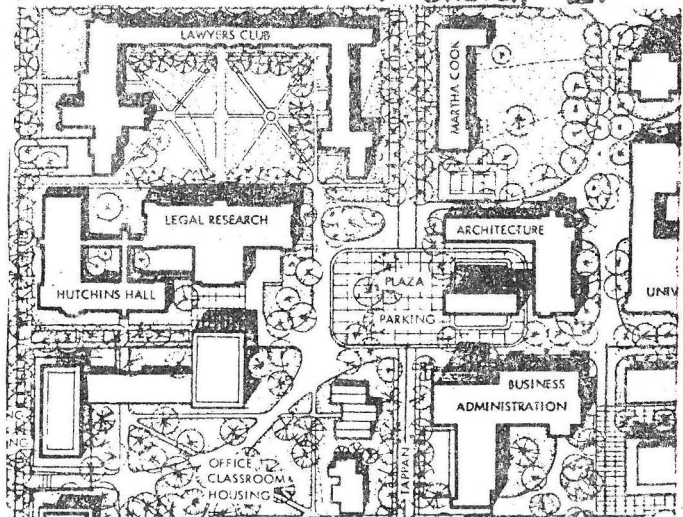
A less radical and also less functional low rise, but still modern plan was similarly found unacceptable.

A fourth plan was still less functional but was aesthetically excellent as far as the alumni were concerned, was for a Neo-Gothic style, L-shaped annex where the parking lot now is located. It would have completed the Quadrangle. But it too was turned down because it "could not be duplicated today at a realistic cost." Apparently the only stone masons that could do the job who live in this country are expected to be occupied on the Washington Cathedral for at least another five years.

I was informed that the Alumni Board said that under no circumstances would they accept any design for an above-ground addition to the Law Quad that would not be in the same style as the original. And so the present compromise for an underground structure was reached, one that has been called the "least functional" of all alternatives within the Quadrangle site. I consider it to be the least aesthetic as well. Still, I can and do sympathize with those alumni and others who regard the unharmonious 1955 four-story addition to the stacks as a grave error. It was designed by the same architects who planned the original buildings but who seemed lost when not involved in the style they knew best, forced by circumstances to depart from their Gothic designs. This is not the situation now, for Mr. Birkerts is a master of modern forms and functions.

The official reason for selecting the underground plan was given by Dean St. Antoine, who said the plan "was chosen to maintain the architectural integrity of the U-M Law Quadrangle". From what I can determine from a number of conversations with administrators, faculty and students, the official statement might more accurately be that "The plan was chosen in order to maintain the architectural integrity of the Law Quadrangle as conceived by certain influential alumni of the Law School, whose cooperation is deemed essential if donations are to be effectively solicited from foundations, corporations and from other alumni."

1963 U.M. MASTER PLAN; SKETCH #2.



But are lawyers the best-qualified judges in matters of architectural concern? (Would they be willing to give architects equal time in court?) How can one judge "architectural integrity"? I have been told that this was a condition in the will of Wm. Cook, the generous benefactor of the Law School, so, from an architectural perspective, it would be well to review the most common criteria for good architectural design..... the triad of function, technique and aesthetics.

Regarding functional integrity: Reportedly, everything in the present reading room would be removed to the new building. Ideas are now being sought for "some uses for the old reading room." It is difficult to conceive what justification for functional integrity could be given when what is probably the most beautiful interior space in Ann Arbor will be deprived of the very function for which it was first intended! It could not be because of disuse or technical obsolescence; it is usually overfilled at night; lighting is far easier on the eyes than at the UGLI. Unless there are conditions of which I have not been apprised, I would conclude that functional integrity is to be sacrificed for a supposed visual integrity. It is hard for me to believe that ~~some~~ alumni would be less offended by such a loss than would those whose "nostalgic recollections" would be compromised by an honestly designed and sensitively proportioned above-ground, modern plan.

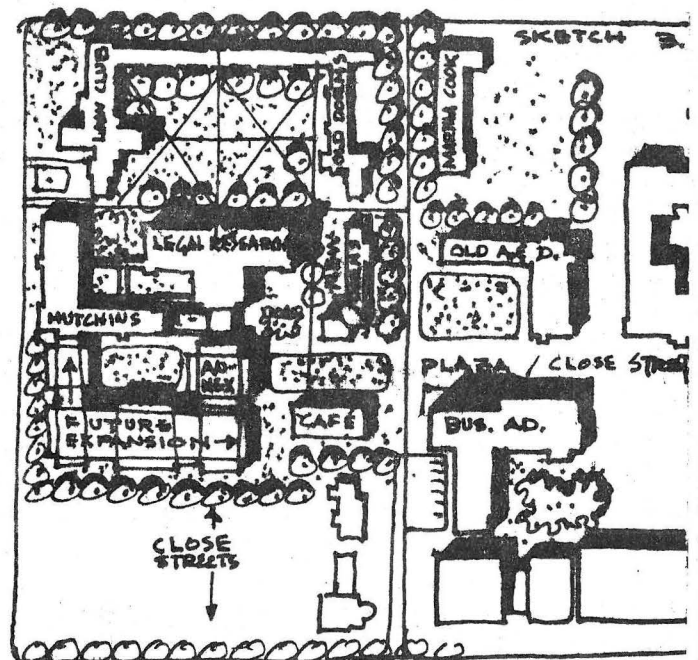
As for technical/structural/material integrity, I assume that that would be independent of the style chosen, for it is more a factor of budget (which is generous) and competence of services. There is little reason to expect technical standards to be lowered.

This leaves aesthetic integrity, which is presumably what the Dean meant in referring to "architectural integrity," a more all-embracing term. Of what do the aesthetic elements consist? They are commonly listed as space, form, scale, proportion, color, pattern and texture.

Because spatial integrity does not exist to begin with, it could hardly be maintained in the southeast corner by building below ground. The composition could be best completed by building above-ground at such scale and proportions, etc., that visual continuity would finally be attained. Space and form articulation are both largely independent of ornament and style in the hands of a skillful designer, so that a modern structure could very well fill this criterion of architectural integrity.

As for color, pattern and texture, it would be quite common for a layman to expect that materials, decoration and details of the same style as that which exists might better maintain stylistic integrity, but even here we find that not necessarily to be the case. In fact, if we were to follow the precedents of the very architects whose style is imitated in the Law Quad, we would build according to the best standards of our own era! The most appropriate of many authorities one might cite is that of two British architectural historians, Penoyre and Ryan,

"Perpendicular building is unlike any other building form, is very easily recognizable, and is wholly English. The 15th century builders had a spe-



ADAPTATION FROM 1963 U-M MASTER PLAN

cial genius for adding to existing buildings in the new style, harmonizing with the old without accepting any of its form or detail. There are an immense number of churches that have been added to in the 15th century, besides many cathedrals. The new piece was invariably built on to the old as a direct contrast in proportion, style, and technique, and yet it nearly always looks well, and is an honest piece of work." (The Law Library is of Perpendicular Gothic style).

I think it would be accurate to say that, in our own time, the colleges at Oxford and Cambridge after which the Law Quad is modelled, also invariably build in a modern style, maintaining integrity not by slavish imitation but by respect for harmonizing or contrasting the basic elements of design effectively.

Generally, the more stylistic continuity is maintained, the more compromises must be made with functional integrity. Modelled after a place of worship of the supernatural, Kings College Chapel in Cambridge, with its portals at the narrow end, the entrance to the Law Library was radically shifted to the long side facing the Quad, a more suitable arrangement functionally for library use.

Additionally, architectural integrity should be considered in its urban design context....from outside the Law Quad as well as inside. Again, the underground scheme presents serious spatial problems, analysis of which is precluded in this short commentary. ~~xxxx~~

I trust that I have now adequately demonstrated that the concept for an underground addition can scarcely be justified on the basis of "maintaining architectural integrity". One item yet remains.

There are strong indicators of another area in the planning process that may prove to be the weakest link in the chain...that of programming. What are the criteria by which the program itself has been judged? Who were the judges? Were they the best-qualified to judge? Is there a well-thought-out philosophy of legal edu-

cation to which most parties concerned have agreed? If there is, it should be made accessible to all concerned interests. If not, that should be confessed so that funds will not be expended on construction to suit a curriculum that may soon be found deficient and in need of serious modification.

I suspect that a full analysis of conditions would suggest to many people 1) that the fundamental stage of the planning process should be reopened; 2) that both students and community members be invited to participate in the process, and the opinions of younger alumni solicited; and 3) that more alternatives should be discussed. It appears to me that the important stage of imaginative brainstorming was curtailed way too soon. Perhaps the boundary lines were defined too close for comfort? The University of Michigan Master Plan of 1963 (figure 2) might possibly be adapted to future functional requirements (as suggested in figure 3.)

There is often unnecessary misapprehension with regard to opening up the decision-making process; but of all educational and research institutions, should not a school of law be the most receptive to furthering the democratic dialogue as part of its own vision of the future?

* Richard Ahern, local architect and urban designer, studied architecture at M.I.T. and received his doctorate at Graz, Austria. He taught design and history of architecture at Kent State and urban design at the University of Detroit.

* This article represents Mr. Ahern's opinions regarding important decisions to be made in a short time. Comments about the letter or the Annex are encouraged by RES GESTAE; please submit comments to our office in 102A Legal Research.

* 12" x 36" reproductions of Ahern's sketch at the top of the article can be obtained for \$10.00 from Geoff Silverman (764-8985) or from Ulrich's mezzanine.

T'WAS THE NIGHT BEFORE*

T'was the night before exams and all through
the halls,
Every creature was stirring and climbing the
walls;
The outlines were prepared with vigor and
vim
In hopes they would allow a drowning person
to swim.
And some in their carrels and some in their
rooms
Had just settled down to the long "No-Doz"
gloom.
When out on the Quad there arose such a
clamor,
The gunners poured from the library getting
madder and madder.
And what to their wondering eyes should
appear
But the sight of law students partying, and
plenty of beer.
With a group of people so lively and quick,
I knew in a moment they'd drink/smoke them-
selves sick.
"On Barristers, On Social Committee, and
even Law Green!",
Why, there were no Gilbert's anywhere to be
seen.
"Now drink it all down, now drink it all now;
Now pass away, pass away, pass away all."

Then, in a twinkling I heard on the road
The rumble and clatter of brews by the load;
As I drew in my chest and was struggling to
stand
Up the walk came the Campus Corner delivery
van.
The driver's get-up resembled the usual
Ann Arbor dregs,
But I knew in the truck lay keg after keg.
Each one ice cold and with an individual
tap-
Just the combo to set you down to a long
winter's nap.
The faculty were there too, oh, eleven or
twelve
And we laughed when we saw them, enjoying
ourselves.

We spoke not a word but went straight to
our task,
We finished those kegs - you hardly need
ask.
And placing our hands on top of our heads
We wondered if we'd ever make it back to
our beds.

We sprang to our cars and homeward we ran;
Away we all flew like _____ hitting the fan.
But I heard someone exclaim as they passed
out in flight -
"Happy Holidays to all and don't get up-
tight."

--- The Pearl

* Liberally adopted from someplace or
another

THE ADVENTURES OF PEEP 'N TOM *by* The PEARL

"HEY TOM, HOW DID YOU DO ON
THE ETHICS EXAM?"



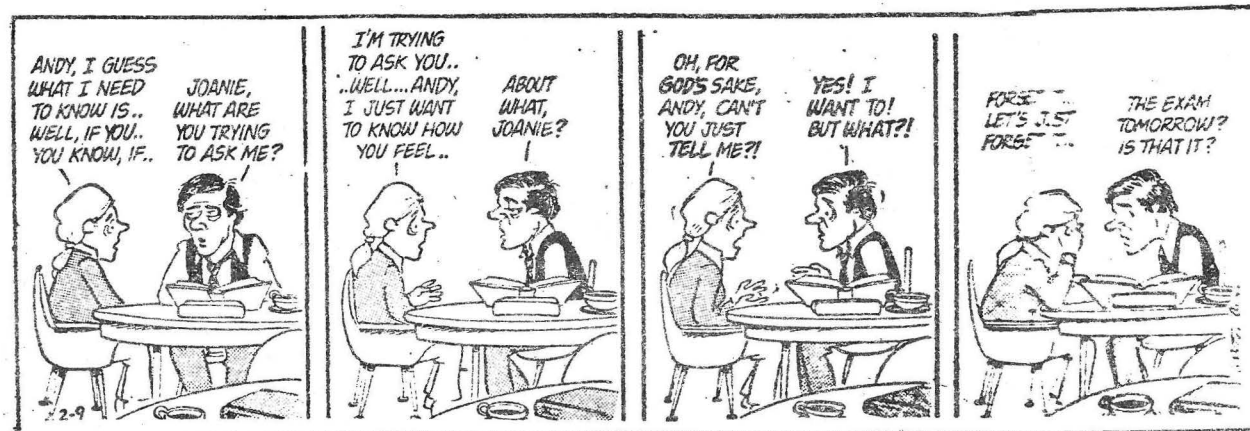
"I THINK I VIOLATED DISCIPLINARY
Rule 6-101 BY FAILING TO
ACT COMPETENTLY!"



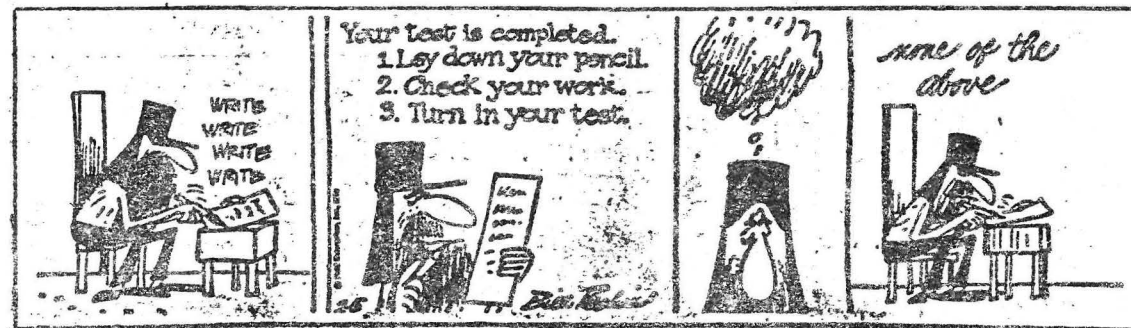
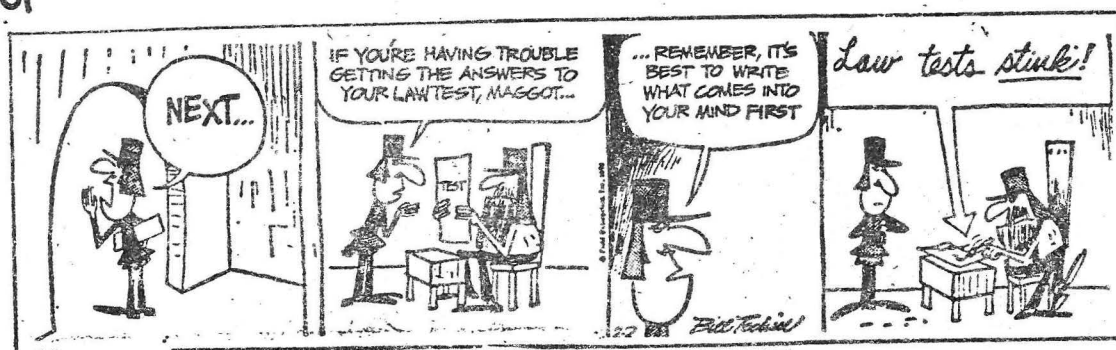
"SHOT DOWN
BY THE CANNONS."



NOTHING UP
MY SLEEVES!



15



" IF THIS IS TUESDAY,
THIS MUST BE TAX "



"On the bright side, with a report card like this, Ned couldn't have cheated."

From the Desk of THE PLAGIARIST:

It has come to the attention of our staff that the current generation of law school graduates has become more specialized than ever before. We know of one recent job-seeker whose resume listed his major area of concentration as the Doctrine of Worthier Title. In the search for greater specialization, these narrow-minded zealots have striven to learn more and more about less and less, until they know everything about nothing. In our continuing effort to bring breadth of knowledge to the Law School community, we present the following exam as an aid to your preparation as legal generalists. We feel that it effectively tests one's ability to handle the wide variety of subjects which a lawyer encounters in a general practice. It is recommended that the Encyclopedia Britannica (latest edition) be studied and outlined before attempting the exam. (Sorry, no Gilbert's are available, but we have it on good authority that Stu Jones is preparing a comprehensive Nutshell on Real Life, to be published in the near future by Barrister Press.)

A TEST FOR THE LEGAL GENERALIST

INSTRUCTIONS: Read each question carefully. Answer all questions. Time limit: 4 hours. Begin immediately.

HISTORY: Describe the history of the papacy from its origins to the present day, concentrating especially, but not exclusively, on its social, political, economic, religious, and philosophical impact on Europe, Asia, America, and Africa. Be brief, concise and specific.

MEDICINE: You have been provided with a razor blade, a piece of gauze, and a bottle of Scotch. Remove your appendix. Do not suture until your work has been inspected. You have fifteen minutes.

PUBLIC SPEAKING: 2500 riot-crazed aborigines are storming the classroom. Calm them. You may use any ancient language except Latin or Greek.

BIOLOGY: Create Life, Estimate the differences in subsequent human culture if this form of life had developed 500 million years earlier, with special attention to its probable effect on the English parliamentary system. Prove your thesis.

MUSIC: Write a piano concerto. Orchestrate and perform it with flute and drum. You will find a piano under your seat.

PSYCHOLOGY: Based on your knowledge of their works, evaluate the emotional stability, degree of adjustment, and repressed frustrations of each of the following: Alexander of Aphrodisias, Rameses II, Gregory of Nicaea, Hammurabi. Support your evaluation with quotations from each man's work, making appropriate references. It is not necessary to translate.

SOCIOLOGY: Estimate, the sociological problems which might accompany the end of the world. Construct an experiment to test your theory.

ENGINEERING. The disassembled parts of a high-powered rifle have been placed on your desk. You will also find an instruction manual, printed in Swahili. In 10 minutes a hungry Bengal tiger will be admitted to the room. Take whatever action you feel appropriate. Be prepared to justify your decision.

ECONOMICS: Develop a realistic plan for refinancing the national debt. Trace the possible effects of your plan in the following areas: Cubism, the Donatist controversy, the wave theory of light. Outline a method for preventing these effects. Criticize this method from all possible points of view. Point out the deficiencies in your point of view, as demonstrated in your answer to the last question.

POLITICAL SCIENCE: There is a red telephone on the desk beside you. Start World War III. Report at length on its socio-political effects if any.

EPISTEMOLOGY: Take a position for or against truth. Prove the validity of your stand.

PHYSICS: Explain the nature of matter. Include in your answer an evaluation of the impact of the development of mathematics on science.

PHILOSOPHY: Sketch the development of human thought, estimate its significance. Compare with the development of any other kind of thought.

GENERAL KNOWLEDGE: Describe in detail. Be objective and specific.

Some Law-School Competitions We'd Like to See

by Murray the K

1) Mute Court Competition:

Participants will be required to present and answer questions upon a brief which they have prepared, without using their mouths in any manner.* Their lips will be taped shut, and they will rely on their use of gestures and dramatic impersonation to communicate thoughts in complete sentences.

*noises emitted from any other orifice will be allowed at the discretion of the judges whenever appropriate, but points will be deducted for 'clearing the court'.

2) Process Pitching:

Contestants will compete in two categories: distance and accuracy, which will then be divided into the following subcategories:

- 1) without artificial means
 - a) rolled up into a ball
 - b) made into a paper airplane
 - c) tacked to their foreheads
- 2) with artificial means
 - a) slingshot and rock
 - b) bow and arrow
- 3) by deception
 - a) inside their lasagna or vitamin pill
 - b) in a letter from their mother

3) Practice Jury Relations:

--each participant will be put in a room with 12 strangers, all of whom want to go home for dinner. In addition there will be six sets of backgammon and 12 automatic glass-frosters from J.C.Penney. You will try to persuade all of the people to remain in the room and play an all-night round-robin tournament of backgammon, but you cannot use force of any kind (you will be strapped in a chair in the middle of the room). In addition, you will try to sell as many of the glass-frosters as you can, but you may not sell more than 2 to any one person. Scores will be formulated as soon as the last person leaves the room, and will take into account both duration, money collected, and games of backgammon played.

A Special Christmas Carol Dedication

"We Three Kings" - To Dean St. Antoine, Helen Betts and Art Mack.

"God Rest Ye' Merry Gentle-persons" - To the December Grads.

"O Come All Ye Faithful" - To the Social Committee's Thursday Affair.

"Adeste, Fideles" - To law professors who prefer latin phrases.

"It Came Upon a Midnight Clear" - The realization we have only three reading days before exams.

"Santa Clause is Coming to Town" - To those of us using our pass-fail options.

"Have a Holly, Jolly Christmas" - To the proprietors of Santa's Workshop-on-the-Quad.

"O Little Town of Bethlehem" - With a housing situation much like Ann Arbor's.

"The Twelve Days of Christmas" - To recover from eight days of exams.

"Rockin' Around the Christmas Tree" - To all the septuagenarian law professors.

"What Child Is This?" - To the people at the Family Law Clinic.

"I'm Dreaming of a White Christmas" - A problem for Dean Pierce and the Law School Affirmative Action Committee.

"Angels, We have Heard on High." - To Farrah, Jaclyn and Kate, with love.

"Jingle Bells" - To those who entered the law school pinball tournament.

"Joy to the World" - This is the last R.G. of the semester.

-The Pearl





THE ULTIMATE FIRST YEAR LAW SCHOOL EXAM
QUESTION

By

Crusader Rabbit

A is a grower & seller of artichokes who lives in California. He flies to New York where he meets with B, a food distributor. They contract on arrangement whereby A will ship 10 tons of artichokes to B's warehouse in New York at a price of \$500/ton. payable on delivery. A then goes to New Jersey and hires a criminal C to engage in a little racketeering. C, who was supposed to blackmail somebody else, blackmails B into giving his entire estate (including the artichokes) as a life estate to D, remainder to E. E, who happens to be A's son, decides to kill D by poisoning the artichokes. (He knows of D's fondness for artichokes.) E hires F to do the dirty work. F and his partner G hit upon the following plan. They will meet the truck carrying the artichokes from California and F will pull out in front in a slow pick-up truck. As the pickup slows to 15 m.p.h., G jumps on the artichoke truck from the rear and poisons the produce.

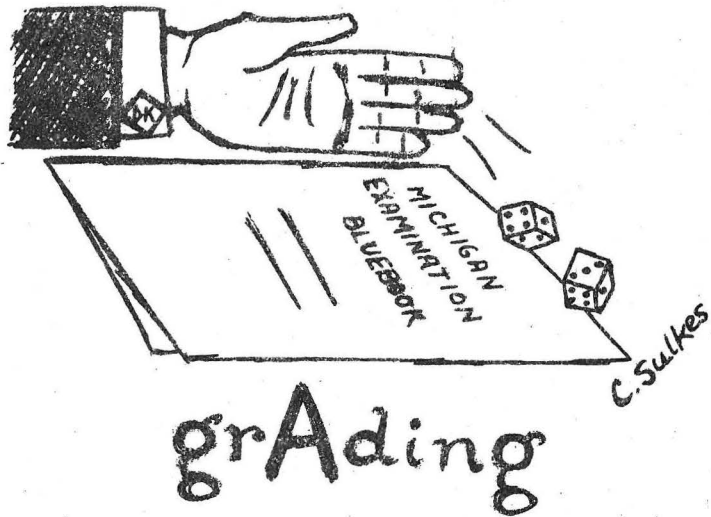
Unfortunately, this plan does not work. As F pulls out in front of the artichoke truck, the driver H pulls out to pass in a no passing zone. As he does so, A, who is returning to California by car, drives over the top of the hill headed in the opposite direction. Both A & H lock their brakes, but a collision occurs. This happens in Pennsylvania,

A sues B for the money due under the contract, claiming that the contract was

substantially performed and that the artichokes could have been disposed of just as easily in Pennsylvania as in New York. B counter-claims either to rescind the contract because A's actions have frustrated performance of the contract or to grant him damages equal to the profit he would have realized on the transaction. E, as remainderman, sues D, as holder of the life estate, for waste on the grounds that everyone knows that you don't ship artichokes from California to New York by truck, but rather by plane. D names B as a necessary party since he is the donee of the life estates. B counter sues E to rescind the life estate and the remainder on grounds of duress, naming C as a necessary party. B also swears out a criminal complaint against C for racketeering, and also files a civil suit against C for intentional infliction of mental anguish. C names A as a necessary party in the civil suit under the theory of respondent superior. B then swears out a criminal complaint against A for conspiracy. A, in response to being named in B's civil suit, enters a limited appearance and files a motion to dismiss since he never hired C to blackmail B (but rather somebody else, which he does not bother to mention to the court).

A then sues H for personal injuries and property damage to his car resulting from the collision, and also names I, the owner of the truck, under the theory of respondent superior. I files an answer denying liability since H was breaking the law by passing in a no-passing zone, and that an employer has no liability for an employee's lawless acts. H names F & G as necessary parties on the theory that H's actions in passing unlawfully were necessary to avoid colliding into F who negligently pulled out in front of H. F & G then bring E into the case as a necessary party, since E hired them to do the dirty work. At this point, A is suing H, H is suing F & G (placing them on A's side) and F & G are suing E (placing him on H's side). This places A & E on opposite sides of a lawsuit, and E moves to dismiss the action against him since he is A's son and cannot be sued under the doctrine of family immunity. The State then brings criminal conspiracy charges against E, F and G.

What result and why?



CRIMINAL LAW FINAL

X, one of Professor R's criminal law students, picks up his take-home exam from Professor R's secretary and, upon perusing it, vows revenge. Accordingly, at 8 a.m. the next morning, X goes up to the ninth floor of the Legal Res. Bldg. and lies in wait among the stacks outside of Professor R's office, intending to throttle said professor to death when he arrives.

Professor R ambles in at 3 p.m. to find X slumped next to the stacks, asleep. R taps X on the shoulder and, after X has awakened, greets him (X) warily, for in the meantime he (R) has been "tipped off" as to X's intentions by student B, who wants to get on the Law Review.

X, in his just-awakened stupor, has forgotten why he came to Professor R's office. He (X) reaches into his pocket to get a handkerchief. R, thinking he's reaching for a knife, punches X in the nose. X, although able to safely retreat, responds with fisticuffs, and a fight ensues.

In the course of the fight, Professor R is backed against a window which was left open by student Y, who was in the stacks a week earlier in violation of a university ordinance prohibiting students from being in the stacks, which ordinance had, in the meantime, been declared unconstitutional.

Professor R accidentally falls out said window, but is able to get a hold on the gutter with his two pinkies. Student X, on seeing Professor R's predicament, says "HA!" and walks off.

Later, student Z, while walking by, sees the open window and, on glancing out, notices the professorial pinkies hooked over the edge of the gutter. Z climbs out to help Professor R, but accidentally stomps on one of his (R's) pinkies in the process.

Professor R falls, as fate would have it, onto three mattresses lying fortuitously below. Nonetheless, his eggshell skull cracks from the impact and he (R), brushing his hair back from his forehead, expires.

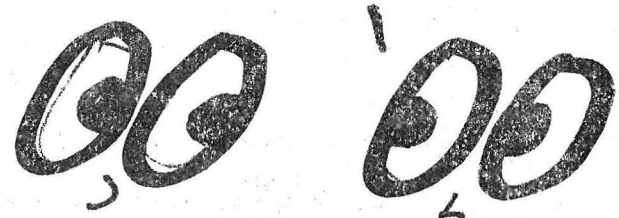
Discuss the liability of the various actors (R, X, Y, and Z) in twenty-five words or less. IMPORTANT: I will stop reading any paper which is too long at the 25-word mark.

THE ADVENTURES OF PREP 'N TOM by THE PEARL

"SOME PEOPLE WRITE 'GRADUATING SENIOR' ON THEIR BLUE-BOOKS."



"OTHERS WRITE 'PASS-FAIL'."



"BUT WE WRITE, 'TIS THE SEASON OF CHARITY!"



"GOD HELP US,
EVERYONE."

The Res Gestae:

WE'RE LOOKING FOR A FEW GOOD MEN

THE UNIVERSITY OF MICHIGAN LAW SCHOOL CUMULATIVE GRADE REPORT

PERSONAL DATA			GRADING SYSTEM	OFFICIAL ACTION
BIRTH	DATE	PLACE		
SCHOOL ENTERED FROM			GRADE HONOR PTS.	
DEGREE	DATE		A+ 4.5	
DEC	DATE		A 4.0	
RANK AT GRADUATION			B+ 3.5	
IN CLASS OF			B 3.0	
DEGREE	DATE		C+ 2.5	
			C 2.0	
			D+ 1.5	
			D 1.0	
			E 0	
			X INCOMPLETE	
			P ADVANCE	
			STANDING	

CTHMAN NEHAD S
RT1 BOX 346
BALDWIN

378-60-1233-9

MI 49304

TERM SPR-SUM-76

TERM YEAR	COURSE NO.	SEC. NO.	COURSE NAME	INSTRUCTOR	HRS. LOAD	HRS. GRADED	GRADE
F 74	502	2	CIVIL PROCEDURE	WESTEN	3		
	507	2	CONTRACTS	POOLEY	3		
	510	2	CRIMINAL LAW	REGAN	4	4	A+
	560	2	PROPERTY	GREEN	3		
	575	2	TORTS	PLANT	2		
	588	2	WRITING AND ADVOCACY	BORGSDORF	1		
					16	4	
W 75	503	2	CIVIL PROCEDURE	WESTERN	3	6	A+
	508	2	CONTRACTS	POOLEY	3	6	A
	561	2	PROPERTY	GREEN	3	6	A
	576	2	TORTS	PLANT	3	5	A+
	588	2	WRITING AND ADVOCACY	BORGSDORF	1	2	P
					13	23	
F 75	623	1	COMMERCIAL TRANSACTIONS	WHITE	4	4	A
	661	1	ENTERPRISE ORGANIZATION	CONARD	4	4	A
	695	1	INTERNATIONAL ECONOMIC L	CARREAU	3	3	A+
	772	2	TAXATION I	RICE	4	4	A
					15	15	
W 76	690	1	INTERNATIONAL LAW	STEIN	3	3	A+
	767	1	SECURITIES REGULATION	CONARD	3	3	A
	773	1	TAXATION II	KAHN	3	3	A+
	785	1	TRUSTS AND ESTATES I	WAGGONER	3	3	A
	868	1	COMMON MKT: FOR TRADE	BOURGEOIS	2	2	A+
					14	14	
					58	56	

LAW REVIEW -
EAT YOUR
HEART OUT

